

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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IVY FOUNTAIN,

Case No. 19-CV-836 (NEB/DTS)

Petitioner,

v.

ORDER ACCEPTING REPORT AND  
RECOMMENDATION

WARDEN R. MARQUES,

Respondent.

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The Court has received the December 9, 2019 Report and Recommendation of United States Magistrate Judge David T. Schultz. [ECF No. 9.] No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation [ECF No. 9] is ACCEPTED;
2. The Petition for Writ of Habeas Corpus [ECF No. 1] is DENIED AS MOOT; and
3. The action is DISMISSED WITHOUT PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 21, 2020

BY THE COURT:

s/Nancy E. Brasel

Nancy E. Brasel

United States District Judge